

103D CONGRESS
1ST SESSION

S. 671

To establish a comprehensive policy with respect to the provision of health care coverage and services to individuals with severe mental illnesses, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 30 (legislative day, MARCH 3), 1993

Mr. DOMENICI (for himself, Mr. SIMON, Mr. INOUE, Mr. SARBANES, Mr. WARNER, Mr. DECONCINI, Mr. WELLSTONE, Mr. MURKOWSKI, Mr. DANFORTH, and Mr. COHEN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To establish a comprehensive policy with respect to the provision of health care coverage and services to individuals with severe mental illnesses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equitable Health Care
5 for Severe Mental Illnesses Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) American families should have health insur-
2 ance protection for the costs of treating severe men-
3 tal illnesses that is commensurate with the protec-
4 tion provided for other illnesses;

5 (2) currently, many private health insurance
6 policies and public insurance programs discriminate
7 against persons with severe mental illnesses by pro-
8 viding more restrictive coverage for treatments of
9 those illnesses compared to coverage provided for
10 treatments of other medical problems;

11 (3) many health insurance plans limit the num-
12 ber of days allowed for facility care or limit the
13 number of outpatient visits allowed for the treat-
14 ment of severe mental illnesses while providing no
15 limit for the treatment of other physical illnesses;

16 (4) only 21 percent of all health insurance poli-
17 cies provide inpatient coverage for severe mental ill-
18 nesses comparable to coverage for other illnesses,
19 and only 2 percent have comparable outpatient cov-
20 erage;

21 (5) only 2 percent of Americans with private
22 health care coverage have policies that adequately
23 and fairly cover severe mental illnesses;

1 (6) over 60 percent of health maintenance and
2 preferred provider organizations specifically exclude
3 treatment for those with severe mental illnesses;

4 (7) private health insurance provides some type
5 of coverage for 64 percent of all individuals with se-
6 vere mental illness, but provides only 46 percent of
7 the annual expenditures required for the treatment
8 of severe mental illnesses;

9 (8) health care reform plans designed to make
10 health care more accessible and affordable often in-
11 corporate the policies that are discriminatory with
12 respect to persons with severe mental illnesses which
13 now exist in common private health insurance plans;

14 (9) unequal health insurance coverage contrib-
15 utes to the destructive and unfair stigmatization of
16 persons with severe mental illnesses, illnesses that
17 are beyond the control of the individuals, just like
18 cancer, diabetes, and other serious physical health
19 problems;

20 (10) schizophrenia strikes more than 2,500,000
21 Americans over the course of their lifetimes, and ap-
22 proximately 30 percent of all hospitalized psychiatric
23 patients in the United States suffer from this most
24 disabling group of mental disorders;

1 (11) left untreated, severe mental illnesses are
2 some of the most disabling and destructive illnesses
3 afflicting Americans;

4 (12) studies have found that up to 90 percent
5 of all persons who commit suicide suffer from a
6 treatable severe mental illness, such as schizophre-
7 nia, depression, or manic depressive illness;

8 (13) some 10 percent of all inmates, or 100,000
9 people, in prisons and jails in the United States suf-
10 fer from schizophrenia or manic-depressive
11 psychosis;

12 (14) severe mental illness places an individual
13 at high risk for homelessness, as approximately one-
14 third of the Nation's 600,000 homeless persons suf-
15 fer from severe mental illnesses;

16 (15) many persons suffering from severe mental
17 illnesses can be treated effectively but ignorance and
18 stigma continue to prevent many mentally ill individ-
19 uals from obtaining help;

20 (16) seventy to 80 percent of those suffering
21 from depression respond quickly to treatment and
22 80 percent of the victims of schizophrenia can be re-
23 lieved of acute symptoms with proper medication;

24 (17) about 95 percent of what is known about
25 both normal and abnormal structure and function of

1 the brain has been learned in the last 10 years, but
2 millions of severely mentally ill people have yet to
3 benefit from these startling research advances in
4 clinical and basic neuroscience;

5 (18) ensuring adequate health insurance cov-
6 erage for the treatment of severe mental illnesses
7 can reduce health and societal costs by as much as
8 \$2,200,000,000 annually by preventing more costly
9 interventions in the lives of persons with untreated
10 severe mental illnesses and by helping those with se-
11 vere mental illnesses, many of whom are young
12 adults, remain productive members of society; and

13 (19) legislation to reform the health care sys-
14 tem should not condone or perpetuate discrimination
15 against persons with severe mental illnesses.

16 **SEC. 3. STATEMENT OF POLICY.**

17 (a) IN GENERAL.—It is the policy of the United
18 States that—

19 (1) persons with severe mental illnesses must
20 not be discriminated against in the health care sys-
21 tem; and

22 (2) health care coverage, whether provided
23 through public or private health insurance or any
24 other means of financing, must provide for the treat-
25 ment of severe mental illnesses in a manner that is

1 equitable and commensurate with that provided for
2 other major physical illnesses.

3 (b) CONSTRUCTION.—Subsection (a) shall not be con-
4 strued to preclude the adoption of laws or policies requir-
5 ing or providing for appropriate and equitable coverage
6 for other mental health services.

7 **SEC. 4. NONDISCRIMINATORY AND EQUITABLE HEALTH**
8 **CARE COVERAGE.**

9 With respect to persons with severe mental illnesses,
10 to be considered nondiscriminatory and equitable under
11 this Act, health care coverage shall cover services that are
12 essential to the effective treatment of severe mental ill-
13 nesses in a manner that—

14 (1) is not more restrictive than coverage pro-
15 vided for other major physical illnesses;

16 (2) provides adequate financial protection to the
17 person requiring the medical treatment for a severe
18 mental illness; and

19 (3) is consistent with effective and common
20 methods of controlling health care costs for other
21 major physical illnesses.

22 **SEC. 5. COMMITMENT TO POLICY.**

23 It is the purpose of this Act to commit the Congress
24 and the Executive Branch to incorporating the policy set
25 forth in section 3 through efforts, including the enactment

1 of legislation, which are intended to improve access to or
2 control the costs of health care.

3 **SEC. 6. DEFINITION.**

4 As used in this Act, the term “severe mental illness”
5 means an illness that is defined through diagnosis, disabil-
6 ity and duration, and includes disorders with psychotic
7 symptoms such as schizophrenia, schizoaffective disorder,
8 manic depressive disorder, autism, as well as severe forms
9 of other disorders such as major depression, panic dis-
10 order, and obsessive compulsive disorder.

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